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International Court of Justice

H0095-0002

Official transcript of the International Military Tribunal in the matter of: The United States of America, the French Republic, The United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany on 28 March 1946, 1010-1245, Lord Justice Lawrence presiding.

DR. HORN: In accordance with the order of the Tribunal, I am now presenting documents not yet named and in groups and in the following order:

First of all, I am turning to the Polish complex of questions. In my document book, under Exhibit Ribbentrop No. 200, you will find a document which I am submitting to the Tribunal for judicial notice. In that document, Prime Minister Chamberlain, in a letter to Hitler dated August 22, 1939, is defining his attitude regarding the conflict existing between Germany and Poland. In this connection, he is emphasizing as one of the main causes of the difficulti the question of minorities. As evidence of the fact that this minority played an important part as early as the creation of the Polish State, I am drawing your attention to the document Exhibit Ribbentrop 72, which I am offering to the Tribunal for judicial notice. These are comments from the German delegati regarding the peace conditions.

A further document, Ribbentrop Exhibit No. 74, which I am submitting to the Tribunal for judicial notice, underlines once more the point of view of th President of the Allied Council, Clemenceau, about which he is writing to the Polish Prime Minister Paderewski.

SIR DAVID MAXWELL FYFE: My Lord, I want to explain the position of the Prosecution.

We have not yet received these documents, and therefore we are in the position that we have only been able to make tentative selection of those to which we object. I only want to make it clear that we are admitting, without protest, the course taken by Dr. Horn on the basis which your Lordship announced yesterday, that he is putting them in en bloc subject to our right t object formally when we have the documents.

Therefore, it is only right that we must preserve our position because I

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have arranged, and all my colleagues agree, that there should be objections to a number of these documents on our present state of knowledge.

DR. HORN: May I ask your Lordship to listen for one moment.

THE PRESIDENT: Do you want to say something? Were you going to add something to what Sir David had said?

DR. HORN: Mr. President, with regard to the objection just raised by the Prosecution, may I ask that the Tribunal make a principle decision regarding just how far the Defense must suffer from difficulties arising from technical set-backs, and I think a decision should be made that on the strength of the restricted case which we can only present, our evidence is not further restricted and it is made possible for us to present our material without having to argue principle points with the Prosecution here before the Tribunal.

May I request, therefore, that the presentation of documents in its shrotened form, as designed by the Tribunal yesterday, be postponed until the document books are available here in court.

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THE PRESIDENT: The difficulty seems entirely to arisefrom the fact that your document books are not ready. That is what causes the difficulty. If the document books had been ready and had been submitted to the Prosecution, the Prosecution would be in a position to object to them. That is the reason why Sir David is objecting in this provisional form. But if you have witnesses whom you are going to call why do you not call them whilst your books are being got ready? That seems to the Tribunal to be the obvious course.

Call your witnesses and then we can have the documents introduced at a later stage when we can see them. That is the only reasonable course and why you do not adopt it I do not know.

DR. HORN: The translation department informed me recently, through one of their officers, that he would not be in a position, with the present personnel at his disposal, to catch up with translations. That is the cause of the difficulties but that is outside my sphere of influence. I have submitted the documents in good time for translation.

THE PRESIDENT: That was not the point I was dealing with. Perhaps the translations did not come through correctly.

What I said was that if you have witnesses whom you propose to call why do you not call them now?

DR. HORN: I intended to call the witnesses in the course of my presentation of documents and in accordance with the questions to which witnesses could make statements.

THE PRESIDENT: No doubt you had but as your documents are not here to be presented to the Court then you must get on and the only way to get on with your case is to call your witnesses.

DR. HORN: In that case may I request a recess for five minutes so that I may have a short conversation with a woman witness and then I shall call her?

THE PRESIDENT: Certainly. Wait one moment.

Yes, Mr. Dodd?

MR. DODD: If your Honor please, I would not begrudge any counsel five

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minutes. This woman witness has been here for a long time. She stood outside all day yesterday. I think Dr. Horn has talked to her before. He has had ample opportunity to confer with her. He knew he was going to call her; he asked this Court for permission to call her. I think we are faced here with almost a one man filibuster at this time.

THE PRESIDENT: The Tribunal rules that the witness must be called at once.

DR. HORN: In that case I wish to have Miss Blank called as a witness.

MARGARETE BLANK, called as a witness, testified as follows:

BY THE PRESIDENT:

Q Will you tell me your name?

A My name is Margarete Blank.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(Witness repeated the oath).

THE PRESIDENT: You may sit down if you wish.

DIRECT EXAMINATION

BY DR. HORN:

Q Since when do you know Herr von Ribbentrop?

A I met the then deputy of the government as to disarmament questions at the beginning of 1934 in Berlin.

Q When did you become secretary of the former Foreign Minister von Ribbentrop?

A November 1, 1934, I became a secretary in his office. His personal secretary gave notice and a successor did not suit so von Ribbentrop asked me whether I was willing to occupy her position. I said, "yes" and became his personal secretary on February 1, 1935.

Q What was the attitude of von Ribbentrop towards Hitler?

A As far as I can judge he always expressed the greatest admiration for Adolf Hitler. To have the Fuehrer's confidence was the greatest satisfaction to him and that confidence he wished to justify by his attitude and

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his work. He devoted himself to that with the greatest passion. To achieve this aim no trouble was too great for him.

In carrying out tasks given to him by the Fuehrer he was extremely ruthless and without regard. Towards his subordinates he always mentioned Hitler in the terms of greatest admiration. Recognition given him by the Fuehrer, as for instance the Golden Party Emblem in recognition of his merits during a speech before the Reichstag, as well as a letter for his fiftieth birthday full of recognition and praise, meant to him, Ribbentrop, the greatest

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reward for his devotion.

Q It is true that Ribbentrop adhered to Hitler's views and subordinated his own when he was of a different opinion himself?

A That question indicates that in the case of differences between Ribbentrop and the Fuehrer, Ribbentrop would subordinate his own opinion to that of the Fuehrer.

When a decision was made by Hitler no criticism was exercised as to that afterwards. Ribbentrop towards his subordinates presented the views of the Fuehrer as if they were his own. A wish from the Fuehrer was equivalent to a military order in all cases.

Q To what views do you attribute that attitude?

A I attribute it first of all to Ribbentrop's views according to which the Fuehrer was the only person capable of making political decisions.

THE PRESIDENT: Witness, will you observe the lights? When the yellow light goes on it means that you are speaking too fast. When the red light is on it means that you must stop altogether. Will you follow that?

THE WITNESS: Yes indeed.

A (Continued) I attribute that to Ribbentrop's attitude that the Fuehrer was the only person capable of making political decisions.

Secondly, I attribute it to the fact that von Ribbentrop, as a former officer and as the son of an officer, and because of the oath of allegiance he had taken to the Fuehrer, considered as a soldier he had to carry out orders given him, which he could not change or criticize.

Q Do you know anything about the fact that Ribbentrop offered repeatedly to resign?

A Yes, that had happened several times. But regarding such extremely personal matters Ribbentrop did not talk with his subordinates in detail. I only remember his application to resign of the year 1941. That application, like several later ones, was submitted in a personal letter. The cause for that resignation were differences as to competency jurisdictio of other departments who had infringed on the spheres of the Foreign Office and so Ribbentrop did not believe he could take responsibility for the Reich's foreign policy.

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Q Whatwas the result of these applications?

A They were turned down.

Q During Ribbentrop's activities as Ambassador to England were you with him?

A Yes.

Q Is it true that Ribbentrop for a number of years worked for a pact between Germany and England?

A Yes. For that reason, during the summer of 1938, the Fuehrer sent Ribbentrop to England. The fleet agreement of 1935 had only been the beginning. Later on an air pact was planned and for reasons which I do not know about was not concluded.

Q Do you know anything about how Ribbentrop considered the British theory of balance in Europe?

A From numerous statements of Ribbentrop I know that he was of the opinion that England was still adhering to the traditional policy of balance. His conception here was opposed to that of the Fuehrer, who was of the opinion that due to the Russian development in the east a factor had arisen which necessitated a revision of the old policy of balance, in other words, that there was an alien interest to a growing Germany. Ribbentrop's views meant in connection with the Polish crisis that he expected the British guarantee to Poland to become effective.

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Q What political aims did Ribbentrop take to achieve the Three-Power Pact?

A That was to be

Q Do you know anything about whether Ribbentrop was anxious to keep America out of the war?

A Yes, that anxiety was the basis of the Three-Power Pact.

Q And now another problem. What was Ribbentrop's attitude towards the church and chruch matters?

A As far as I can judge, his attitude in church matters was very tolerant. As far as I know, as early as 1920 or so, he left the church, but in that respect he exercised no pressure of influence on his personnel or, rather, he wasn't interested in such matters. His tolerance went so far that his two eldest children in 1935 were given the opportunity by their own request to reenter the chruch. In the personal question of religion his tolerance was equivalent to his church policy. In that connection I remember a principle note sent to the Fuehrer in which von Ribbertrop was working for a tolerant church policy. In the winter, 1944, he received Bishop Heckel to discuss church matters with him. On the occasion of a journey to Rome in 1942 or '43, he paid a long visit to the Pope.

Q Was Ribbentrop a quiet man, that kept his thoughts to himself, or was the opposite true?

A Although I have been his secretary for ten years, I have never experienced that he really let himself go. His work, which was often done in writing, obsorbed him to such an extent intellectually that he had hardly any time for private matters. I couldn't name anybody, outside his immediate family, for instance, who was in really close human touch with von Ribbentrop. But that does not exclude, of course, that he was interested in the well being of his subordinates in the warmest possible way and that, particularly in times of emergency, he was very very generous towards them.

Q Is it true that you have often felt that there were certain differences between Ribbentrop and Hitler?

A Yes. According to his attitude, which I have mentioned, he hardly discussed such differences with us, his subordinates, but I do remember clearly that there were times when such differences certainly did exist.

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During such times the Fuehrer often refused for a period of weeks to receive von Ribbentrop. Ribbentrop suffered very badly psychologically under such a state of affairs.

Q Was Ribbentrop. as far as the achievement of his foreign political aims was concerned, very independent or was he depending on Hitler's orders and directives?

A Von Ribbentrop often used the phrase himself that he was the only man responsible for the carrying out of the Fuehrer's foreign policy, and with that he has already expressed that he, in setting up his political aims, was not independent. But, over and above that, in the carrying out of the tasks and directives given him by the Fuehrer, he was tied down to the instructions from Hitler to a considerable extent. For instance, regarding the reports submitted by the liason officer of the Foreign Office to the Fuehrer, there were often requests for decisions from the Fuehrer. In connection with these reports sent to the Fuehrer through the liason officer of the Foreign Office, Ambassador Hewel, they contained requests for further decisions regarding certain questions or they contained a draft for telegrams to the various missions abroad for the Fuehrer's approval.

Q Did Ribbentrop suffer from having to bear the responsibility for foreign policy, which he could not yet decide, however?

A In my presence he has never talked about that, but that was my feeling.

Q What was Hitler's attitude towards the German Foreign Office?

A The Fuehrer considered it an old fashioned machine of civil servants, untouched by national socialism. As I gathered from men of his immediate surroundings, he was often making fun of the Foreign Office. He considered it a central of defeatism.

Q In what way did Ribbentrop try to bring the Foreign Office closer to Hitler?

A When taking over the Foreign Office in February, 1938, Ribbentrop intended to carry out a generous reorganization of German diplomatic services. He also intended to make basic changes in the training of young diplomats. These attempts remained in the initial stages because of the war. During the course of the war they were

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started again, when the question of finding new personnel for the Foreign Offices became acute. Certain positions abroad had to be filled by untrained diplomats, people who were SS leaders, and that was due to Ribbentrop's anxiety to meet the Fuehrer's animosity towards the Foreign Office.

Q. What were his views and intentions towards Russia? What were Ribbentrop's views and intentions regarding Russia?

A. The intentions regarding Russia found their expression in the pact of friendship in August 1939, and the commercial agreement in 1939.

Q. Do you know that more than a non-aggression pact and a commercial pact was concluded in Moscow?

A. Yes, there was an additional secret agreement.

GENERAL RUDENKO: The secretary of the former Minister Ribbentrop can give testimony concerning the personality of the defendant Ribbentrop, his method, his way of life, and his character, and others, but the witness is not competent to give any testimony on the question of treaties of the Foreign Office and others, and, therefore, I consider that the question asked of the witness is absolutely irrelevant and I object to it.

THE PRESIDENT: Dr. Horn, that is the same matter that was raised, is it not, upon the affidavit of Dr. Gauss? I mean, you said that you were going to produce an affidavit of Dr. Glauss which dealt with a secret agreement between-- I beg your pardon. I ought to have said that Dr. Seidl was going to produce an affidavit of Dr. Gauss with reference to this alleged agreement. That is right, is it not?

DR. HORN: I assume so, yes.

THE PRESIDENT: The Soviet's Prosecutor objected to that agreement being true until the affidavit should be admitted, until it had been seen. Well, now, is the agreement in writing? Is the alleged agreement between the Soviet Government and Germany in writing?

DR. HORN: Yes. That has been put down in writing, but I do not have a copy of that agreement, and I should therefore like to ask the Tribunal if the decision is depending upon the affidavit of Ambassador Gauss? If I, on my part, can call upon Miss Blank, who has seen the original, I can obtain an affidavit,

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if that is necessary, covering the same point. Would Your Lordship be agreeable to that?

THE PRESIDENT: Dr. Seidl, do you have a copy of the agreement itself?

DR. SEIDL: Mr. President, regarding that agreement, only two copies are available, dated 22 August 1939. The other copy was taken to Berlin by von Ribbentrop. After an announcement made in the press, all the archives on the Foreign Office were confiscated by the Soviet Union troops. I, therefore, herewith apply that the Soviet Government or the Soviet delegation is to be ordered to submit to the Tribunal the original of that agreement.

THE PRESIDENT: You are not answering the question, Dr. Seidl. I did not ask you for an argument. I asked you whether you have a copy of that agreement available.

DR. SEIDL: I, myself, do not own a copy of that agreement. The affidavit from Ambassador Gauss merely states the contents of that secret agreement, and he is in a position to do so since he had made the draft for that secret agreement. The secret pact was so signed by Foreign Commissar Molotov and Ribbentrop as it had been drafted by Ambassador Gauss. That is all I have to say to that, Mr. President.

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THE PRESIDENT: Yes, General Rudenko?

GENERAL RUDENKO: Mr. President, I want to say the following:

With regard to what was mentioned here by the Attorney, Seidl, about the agreement allegedly seized by the Soviet troops, in other words, the agreement which was concluded in Moscow in March, 1939, I can call the attention of the Defense Counsel to the articles in the press, which appeared in the newspapers throughout the world, as to the non-aggression pact concluded in August, 1939. That is a well-known fact.

So far as other agreements are concerned, the Soviet Prosecution considers that the application of Dr. Seidl to incorporate into the record an affidavit by Friedrich Gauss should be denied. Gauss's testimony as to this agreement, and the history of the conclusions of this pact, is irrelevant to thematter. Presentation of such testimony or affidavit does not shed a true light on the events, really as a matter of provocation. This is borne out by the fact that Ribbentrop himself repudiated the affidavit, while Defense Counsel for Hess wanted to include it.

Although there is nothing mentioned about any fact relevant to thematter, due to this consideration on my part and the basic facts, I request the Tribunal to deny the application to admit the affidavit, and also to deny the question asked of this witness by Dr. Horn, as not relevant to the matter.

THE PRESIDENT: Yes, Dr. Seidl? Do you want to say something?

DR. SEIDL: May I perhaps add very briefly with regard to the statement of the Soviet Prosecutor, that the translation of it was only received fragmentarily. I couldn't quite make up my mind whether General Rudenko wanted to deny altogether that such an agreement was concluded or whether he wanted to state merely that the contents of that secret pact are not relevant. If the former is the case, then I repeat my application that the Soviet Foreign Commissar, Molotov, should be called before this Tribunal; but if the second is applicable, then may I request an opportunity immediately -- now -- to submit to the Tribunal evidence regarding the relevance of that secret pact?

THE PRESIDENT: At the moment we are considering an objection to the evidence of this witness on the stand, so we won't trouble with that.

The Tribunal will adjourn for a few moments. (A recess was taken).

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THE PRESIDENT: The Tribunal desires to point out to Counsel for the Defense that there was no mention of this alleged treaty in its application for evidence to be given by the witness now in the witness box, but as the matter has now been raised the Tribunal rules that the witness may be questioned upon the matter.

BY DR. HORN:

Q. You were speaking about the secret treaty. How did you receive knowledge of the conclusion of this pact?

THE PRESIDENT: I am told that what I said was wrongly translated into the Russian language, at any rate. I don't know whether it was rightly translated into the German language; but what I said was that the witness may be questioned not that the witness may not be questioned. Is that clear to you?

DR. HORN: Thank you. I understood the question correctly, but I wish to thank you again.

BY DR. HORN:

Q. In connection with your previous statement about the secret treaty, I would like to know how you received knowledge of the conclusion of this pact?

A. Because of illness, I could not accompany von Ribbentrop on his trips to Russia. I was also not present when the preliminary preparations for this pact were made. I was not there. I received knowledge of the conclusion of this through a special sealed cover which was kept separately and secretly and had the inscription "German-Russian Secret Agreement."

Q. Then you were responsible for the keeping secret of this secret pact?

A. Yes.

Q. I would like to turn to another complex of questions now. Was von Ribbentrop concerned to keep the pact with Russia under any and all circumstance

A. As a signatory of the German-Russian pact von Ribbentrop was, of course vitally interested in keeping the agreement. He knew of the terrific danger which a German-Russian war would mean for Germany. In this sense he instructed and warned the Fuehrer. As far as I recall, Ambassador Hilger from Moscow was called to Berchtesgaden to report; and for the same purpose, in the spring of 1941, Ambassador von Schulenberg was called in again to report and to again

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give the warning of von Ribbentrop to the Fuehrer and to emphasize them.

Q. Do you know whether von Ribbentrop knew of Hitler's intention prior to the annexation of Austria to the Reich?

A. As far as the German invasion into Austria is concerned, von Ribbentrop was at London and heard with surprise that the invasion was taking place. He himself had in mind an entirely different solution for Austria. What he contemplated was an economic union with Austria.

Q. Do you know whether von Ribbentrop repeatedly made efforts to end the war in a diplomatic way?

A. Yes. One of the steps he undertook was the sending of Professor Berber to Switzerland in the winter of 1943-44. Later on the steps were intensified by the sending of Herr con Sch mieden to Bern and Dr. Hesse to Stockholm. Since there was no official authorization by the Fuehrer for these negotiations, they could only be concerned with submitting of negotiations with which perhaps Germany might converse with the Allies and negotiate. Equal instructions were received by Ambassador von Biebrach at Madrid, Consul Moellhausen at Lisbon, and the Ambassador at the Vatican, von Weitwecker. They were charged with similar missions. A former member of the office of Ribbentrop who was living at Madrid was instructed to attempt to get in touch with the British Government also along similar lines.

On the 20th of April von Ribbentrop dictated a notice to the Fuehrer that which he now wished to initiate negotiations. The decision upon this request I did not see through, because I left Berlin.

Q. Did you know what Hitler's basic attitude was toward this question?

A. I know only from what I heard from men who were in his vicinity that the Fuehrer did not put much stock in this. He would have sanctioned negotiations only if military successes had been present. If and when these military successes were present, he was against diplomatic initiative anyway. As far as the mission of Dr. Hesse is concerned, when it failed he said that from the beginning he had not expected much of this mission anyway.

Q. Just one more question: Is it correct that von Ribbentrop only shortl before the invasion of Norway and Denmark was notified of these actions?

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A. Yes; just a few days prior to the actual fact.

Q. Is it correct to say that von Ribbentrop was of the opinion that England would march for Poland -- on behalf of Poland?

A. Yes. With his view that England would stay with the balance of power politics, he was of the opinion that England would support her guarantee to Poland.

DR. HORN: I have no further questions to this witness.

THE PRESIDENT: Do any of the Defendants' Counsel wish to ask any questions of this witness? Do the Prosecution?

SIR DAVID MAXWELL FYFE: My Lord, the Prosecution has very carefully considered this matter. They hope that the Tribunal will not hold it against them that they accept everything that this witness says, but they feel that all the matters could be more conveniently put to the Defendant himself, and therefore they do not intend to cross examine.

THE PRESIDENT: The witness may retire.

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DR. SEIDL: (Counsel for Hess) Mr. President, the Tribunal, as far as the question of the secret pact is concerned, has permitted this question to be put to the witness. The witness knew only of the existence of this pact but not about its contents.

May I ask to be informed whether in the admissibility of this question to the witness, it is also the rule of the Tribunal, as far as the admissibility of Ambassador Gauss'affidavit is concerned, whether I might now have the opportunity to read an excerpt from this affidavit at this time.

THE PRESIDENT: Has the affidavit been submitted to the Prosecution?

DR. SEIDL: Last Monday -- that is, three days ago -- I submitted six copies of the affidavit to the Translating Division, that is, to Lt Shrader of the information center of the Prosecution. I assume that in the meantime, since three days have elapsed, the Prosecution have received their copies.

SIR DAVID MAXWELL-FYFE: My Lord, the Prosecution have not received the copies. I haven't seen the affidavit yet. Neither has my friend Mr Dodd nor have my other colleagues, General Rudenko, or Mr. Champetier de Ribes.

THE PRESIDENT: Then I think we had better wait until the document is in the hands of the Prosecution, Then it can be considered.

DR. SEIDL: Mr. President, I believe that I did everything that it was possible for me to do in order to facilitate the Prosecution receiving the affidavit. I have no influence over official channels within the General Secretariat.

THE PRESIDENT: Nobody has said that you have done anything wrong about it, Dr. Seidl.

Yes, Dr. Horn.

DR. HORN: As my next witness I should like to call Ambassador Paul Schmidt.

PAUL OTTO SCHMIDT, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you tell me your name?

A Schmidt is my name.

Q Your full name.

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A Dr. Paul Otto Schmidt.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeat the oath.)

DIRECT EXAMINATION

BY DR. HORN:

Q Witness, you participated in some of the decisive conferences before the outbreak of the war between Sir Nevile Henderson, the British representative, and members of the Reich Government. Is it correct to say that you were present at the conferences of the 30th of August 1939?

THE PRESIDENT: The Tribunal will adjourn until 1:45.

(A recess was taken until 1345 hours.)

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Official transcript of the International Military Tribunal in the matter of: The United States of America, the French Republic, The United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany on 28 March 1946, 1425-1700, Lord Justice Lawrence presiding.

THE PRESIDENT: Yes, Dr. Horn.

DR. PAUL SCHMIDT--resumed.

DIRECT EXAMINATION--continued.

BY DR. HORN:

Q Witness, is it correct that you were present during a conference on 30 August 1939 between the defendant von Ribbentrop and the British Ambassador Henderson?

A Yes, that is correct.

Q Where did that conference take place?

A It took place in the office of the Minister of the Foreign Office, Berlin.

Q In what capacity did you participate in that conference?

A It took part as interpreter and reporter. That is to say, I took the record.

Q Since when had you filled that capacity in the Foreign Office and who did you work forin that capacity?

A Since 1923 I worked in the Foreign Office as interpreter for conferences, and in that capacity I worked for all foreign ministers, from von Stresemann to Ribbentrop as an interpreter, as well as for a number of German chancellors like Hermann Mueller, Marx, Bruenig, Hitler, and for other members of the cabinet, delegates and so on and so forth, who represented Germany during international conferences. In other words, I have taken part in all international conferences since 1923 as an interpreter whenever Germany was represented.

Q Did you have an opportunity, during that conference between Ribbentrop and Sir Nevil Henderson, to work as an interpreter?

A No, I did not have such an opportunity since the discussion went on in German.

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Q Was Ambassador Hendersnn able to speak German fairly well?

A Ambassador Henderson's knowledge of German was fairly good, but not absolutely perfect, so that it could occur that in moments of excitement he did not quite understand certain matters, as proved by an event which occurred during that conference which you have just mentioned. Sometimes it wouldn't be easy for him to make himself understood in German, but during these conversati ns he used to address Ribbentrop in German and preferred that language.

Q During that conference, did von Ribbentrop hand a memorandum to Henderson which contained the German proposals regarding the settlement of the difficulties existing between Germany and Poland? And now I am asking you, Witness, whether Henderson asked you during that discussion to translate to him the contents of that memorandum handed him by Ribbentrop?

A No, he did not do that.

Q Did you gather the impression that Sir Nevil Henderson, through his attitude, indicated that he understood the contents of that memorandum fully?

A That is, of course, very hard to say. You can't look into somebody's brain, but I doubt that he understood that document in its details.

Q Did Ribbentrop, when he read that document to Ambassador Henderson, give explanations of the text to Henderson?

A Yes, during the reading of that document and from time to time the Foreign Minister commented upon individual points whichmight not have been quite clear, and gave explanations to Henderson.

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Q Did Henderson ask for such explanations personally?

A No, Henderson sat there and was listening to the document being read and he was listening to the comment which was given.

Q What was the sort of atmosphere that prevailed during that conference?

A The atmosphere during that conference was I think I can say somewhat loaded with electricity. Both participants were extremely nervous. Henderson was not at all quiet and I had never before and only once afterwards seen the Foreign Minister as nervous as he was during that conference.

So as to illustrate the atmosphere, a certain event can be used which occurred during the first part of the discussion. This concerned the case that the individual points on Germany's part were to be explained precisely which could be held against Poland and the Foreign Minister had done that in great detail and had finished with the words:

"You can see, therefore, Sir Neville Henderson, that the situation is damned serious."

When Sir Neville Henderson heard those words, that is to say the words, "damned serious" he got up, half raised himself from his seat and with a sort of warning finger, he pointed it at the Foreign Minister and said:

"You have just said 'damned'. That is not the language of a statesman in so serious a situation."

THE PRESIDENT: What charge has this relevancy to in the Indictment.

DR. HORN: That point of the Indictment that von Ribbentrop handed over that decisive memorandum on the 30th of August, 1939, and read it so quickly that Ambassador Sir Neville Henderson was not in a position to appreciate the contents of that memorandum and pass it on to his government, causing his government at the same time to pass it on to the Polish Government so as to insure continuation of the negotiations between Germany and Poland. England at that time had offered its good services and agency to both governments.

THE PRESIDENT: Which passage of the Indictment are you referring to? You may be right, I do not know. I only want to know which passage in the

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Indictment you are referring to.

DR. HORN: I am referring to the Preamble--I beg your Pardon--to the preparation or failing to prevent aggressive wars of which Ribbentrop is accused as a conspirator.

THE PRESIDENT: That is on page 9, is it not, from F (c) 4? There is nothing about the way in which this document was handed over to Sir Neville Henderson. I do not know but presumably you have got the Indictment. Where is it in the Indictment?

DR. HORN: It has been presented by the Prosecution and it has furthermore been mentioned, stated in the House of Commons by Chamberlain, namely that this memorandum was read at top speed by von Ribbentrop so that the transmission or even the reception of the contents and transmission of its contents through diplomatic channels which England had expressly offered was not possible. The defendant von Ribbentrop is therefore under direct accusation that this last possibility of further negotiation with Poland was prevented by him and thestatement of the witness is to prove that this guilt of the defendant von Ribbentrop does not exist.

THE PRESIDENT: Well, Dr. Horn, you made the point that it was read in that way. There is no charge about it in the Indictment at all. It may be that the Prosecution referred to it in the course ofhistory. You have made the point, surely it is not necessary to go on at length about it.

DR. HORN: In that case may I proceed?

BY DR. HORN:

Q You had the impression, therefore, that both these statesmen were extremely excited?

A Yes, I did have that impression.

Q To what causes do you attribute that excitement?

A To the tension which prevailed during those negotiations; to the numerous conferences which had taken place during the preceding days practically uninterruptedly and which had made considerable demands upon the nervous resistance of all participants.

Q Is it correct that von Ribbentrop, as Sir Neville Henderson states in his book, said in the worst possible expression that he would never

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ask the Polish Ambassador for his visit?

A I cannot remember that. The Foreign Minister merely said that he could only consider the Polish Foreign Minister as a partner for discussions if the Polish Ambassador would

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arrive with the necessary authority to negotiate.

Q Ambassador Lipski did not have that authority, did he?

A He answered a question in that respect, which was put to him by the Foreign Minister when Ambassador Lipski was there -- he answered that question with a clear "no." He had no authority to negotiate.

Q Subsequently, Ribbentrop explained to Sir Nevile Henderson he could therefore not receive the ambassador, is that right?

A No. I have just talked about a conference which the Foreign Minister had with the Polish Ambassador and in the course of which the question was put to the Polish Ambassador whether he had authority to negotiate and on that the Polish Ambassador answered "no." Subsequently, the Foreign Minister said that in that case a conference would not be possible.

Q Von Ribbentrop then did not hand that memorandum which we have just discussed to Sir Nevile Henderson. Did you have the impression that Ribbentrop did not hand the text of that memorandum to Ambassador Henderson because he did not wish to or because he could not do so?

A It is difficult for me to give a really clear answer to that question since during the preparation and preparatory conferences which Hitler had with the Foreign Minister regarding that point, before the conference with the British Ambassador took place, I was not present. Therefore, I can only talk on the strength of my impressions which I gathered during the discussion with the British Ambassador and can draw conclusions regarding what may have been told the Foreign Minister by Hitler and what may have been his instructions regarding that discussion and to that I can say the following.

When Henderson requested that the document containing the German proposals be handed to him the Foreign Minister said:

"No, I cannot give you the document."

He used those words. That was, of course, a somewhat unusual procedure because normally Henderson could have expected that a document which has just been read would subsequently be handed to him. I myself was rather surprised by the answer of the Foreign Minister and looked up since I thought that I had misunderstood. I looked at the Foreign Minister and heard that he said for the

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second time:

"I cannot give you the document."

But I saw that this matter was causing him a certain amount of discomfort and that he was aware of the rather difficult position into which he put himself through this answer. A certain uncomfortable smile was on his lips when he said the words, "I cannot give you the documents", though he said it in a quiet voice.

Then I looked at Henderson since I expected, of course, that Henderson would ask me to translate the document to him but that request was not made. I looked at Henderson invitingly, since I wanted to translate that document, knowing how extremely important a quick and complete transmission of the contents of that document would be to his government. If I had been asked to translate I would have translated very slowly, practically at dictation speed, so as to use that, shall we say, back door to enable the British Ambassador not only to understand the principal lines of the document but also the details of the German suggestions and to take them down and pass them on to his government. But even upon my inviting glance Henderson did not react so that soon after that the discussion came to an end and events took their course.

Q Did you, on the morning of September 3, 1939, receive the British ultimatum to the German Government?

A Yes, that is correct.

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Q To whom did you hand that ultimatum?

A On the morning of the 3rd, the British ambassador, at about two or three o'clock, had telephoned the Reich Chancellor, where I was to go with the Foreign Minister, to be available for possible conferences, and the information was given that the British ambassador had received instructions from his government, according to which, at exactly nine o'clock a.m., he would have to make important announcements to the Foreign Minister on behalf of the British Government. He asked, therefore, to be received by Ribbentrop at that time. He was given the reply that he personally would not be available but that a member of the Foreign Office, in this case I, would be given authority to take his place and receive the announcement from the British Government and through the British ambassador. That is how it happened that I, at nine o'clock in the morning, received the British ambassad in Ribbentrop's office. My invitation to sit down was turned down by Henderson, and standing he read to me the well known ultimatum of the British Government, addressed to the German Government, according to which, unless certain conditions were met on the part of Germany, the British Government would at eleven o'clock that morning consider themselves at war with Germany. After we had exchanged a few farewell words, I took the document and went to the Reich Chancellery.

Q And to whom did you give it there in the Reich Chancellery?

A I gave it to Hitler. That is to say, I found him during conference with the Foreign Minister in his office and I translated the document into German for him. When I had completed my translation, there was at first silence.

Q Was Hitler alone in that room?

A No, as I said before, he was in his office, standing together with the Foreign Minister. And when I had completed my translation, both gentlemen were absolutely silent for about oneminute. I could clearly see that that development of things was by no means agreeable to them. For some time Hitler sat in his chair deep in thought and he looked in front of him, looking rather concerned. Then the silence was ended with a rather sudden question of his addressed to the Foreign Minister, and he said "What are we

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going to do now?" Subsequently they began to discuss the next diplomatic steps which were to be taken, whether this or that ambassador would have to be recalled, and so forth, and I, of course, left the room since I had nothing else to do. When I entered the anti-room, I had seen some members of the cabinet and higher officials who had assembled there to whom, upon their questioning looks when I had entered, since they knew I had seen the British ambassador, I could only say that no second Munich conference would take place.

When I left again, I gathered from the anxious expression on their faces that my remark had been understood. When I now told them that I had just handed over a British ultimatum to Hitler, a very depressed silence fell upon the room. The faces became very serious suddenly. I still remember that Goering, for instance, who

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stood in front of me, turned to me and said, "If we lose this war, then Heaven help us." Goebbels stood in a corner by himself and had a very serious, if not depressed, expression. That atmosphere of depression was prevalent with all those present, and that was something which I considered most remarkable for the first day of the war in that ante-room of the Chancellory, and it is still today in my memory.

Q You didn't have the impression, therefore, that these men expected a declaration of war?

A No, I didn't have that impression.

Q Witness, did you have an opportunity to observe just how Ribbentrop reacted to the news that Japan had attacked Pearl Harbor?

A I didn't have a direct opportunity, no, but the Foreign Office knew generally that the Foreign Minister, just like the whole Foreign Office, was completely surprised by the news of Pearl Harbor. As far as I am concerned, that impression was confirmed by news regarding a member of the press section. The press section had a department concerning itself with radio news, and in the case of important news, the official on duty had orders to inform the Foreign Minister personally and at once. When the first news regarding Pearl Harbor was received by that section of the press, the official on duty considered it important enough to report to his chief, that is to say, the chief of the press section, who in turn intended to pass it on to the Foreign Minister. But, as I was told, the Foreign Minister turned him down rather harshly and he said that that was surely some invention of the press or "some red herring", and that he didn't wish to be disturbed by our press section with stories like that.

After that, a second and third new bulletin regarding Pearl Harbor was received, I think a Reuter report, and that had been received by that department. At that stage the chief of the press section gathered his courage together, in spite of the order not to disturb the Foreign Minister, and informed him of this news.

THE PRESIDENT: This evidence seems to be utterly uninteresting and irrelevant to the Tribunal.

DR. HORN: Von Ribbentrop is accused of having prepared the aggressive

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war against the United States of America.

THE PRESIDENT: What you were telling was the reactions of the press. What have we got to do with the reactions of the press?

DR. HORN: The witness was describing Ribbentrop's reactions to the Parl Harbor attack. Ribbentrop did not know that the Japanese were about to attack America or Pearl Harbor: that such an agreement between Japan and Germany ever existed. It is not correct, therefore, that Ribbehtrop prepared an aggressive war against the U.S.A.

THE PRESIDENT: You were talking about the press. I am not saying that you ought not to ask him whether the Foreign Minister knew nothing about the attack upon Pearl Harbor. That was not what I said. What I said was that the Tribunal was not interested and thought it was irrelevant for you to go into the reactions of the press.

BY DR. HORN:

Q Witness, you were present during the negotiations regarding the fleet pact between Germany and England. Can you tell us how those negotiations proceeded and what Ribbentrop's honest opinions and aims were in that connection?

A These negotiations, during which I was present as an interpreter, took place perfectly smoothly after some difficulties had been overcome. The aims--

SIR DAVID MAXWELL-FYFE: My Lord, as I understand it, this is the naval agreement of 1935. In my recollection--I am just trying to check it--that was one of the matters which we discussed on the application for witnesses and the Tribunal ruled against going into the negotiations, antecedent to the conclusion of that treaty. It came up on application for witnesses. One or two witnesses were asked for, who were going to give the negotiations and I think, to deal with this exact point which Dr. Horn put in his last question, namely, the state of mind of the Defendant Ribbentrop. I found one or two -- there is Lord Monsell, for example, who was on the list of witnesses -- who were denied by the Court, and a number of others were denied on the same point. My Lord, it is in the Tribunal's statement of

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the 26th of February, and my Lordship will see on page 2, I think, certainly the witness Monsell, who happens to be the one most familiar to myself, but I am sure there were other witnesses, too. I know that we discussed this point quite fully on the application for witnesses.

THE PRESIDENT: Who were the others, Sir David?

SIR DAVID MAXWELL-FYFE: I have a list of witnesses who were refused.

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There is Admiral Schuster --

THE PRESIDENT: Yes, he is one.

SIR DAVID MAXWELL FYFE: Who was relevant on this question as to the initiative of the Treaty. And then there is Sir Robert Craigie, No. 24. There is Lord Monsell --

THE PRESIDENT: He was refused.

SIR DAVID MAXWELL-FYFE: These are on the same points. No. 25.

THE PRESIDENT: Yes.

SIR DAVID MAXWELL-FYFE: Yes, my Lord, I think these are the three.

THE PRESIDENT: Dr. Horn, what do you say to this? Those three witnesses -- Schuster, Craigie and Monsell -- whom you alleged were to give evidence on this 1935 Treaty, were all refused. As to the witness you are now examining, no such application was made respecting him, nor even an interpreter in the Foreign Office.

DR. HORN: I was under the impression that the other witnesses had been refused because they were cumulative and I wasn't going to question the witness on the Naval Pact. I was merely going to bring out Ribbentrop's attitude in the course of and following the conclusion of the Pact, and I want to prove to the Tribunal that Ribbentrop was not at that time aiming deliberately at an aggressive war, nor was he a part of a conspiracy for an aggressive war at that time. And furthermore, I wish to prove by it that this Pact was not, as the previously mentioned British Ambassador, Nevil Henderson, was trying to put it, "eye wash."

THE PRESIDENT: Your application with reference to Ambassador Craigie was to the effect that the witness would give evidence that in 1935 Ribbentrop approached England with a proposal that the Naval Treaty should be signed and Ribbentrop's initiative brought about an agreement on that Treaty by France.

Isn't it in connection with that, that you were going to ask this witness questions?

DR. HORN: No.

THE PRESIDENT: If you have nothing about the Naval Treaty of 1925, then you can go on.

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Q Witness, in 1944, you were present during a conference between Horthy and Hitler which took place at Klessheim, at which Ribbentrop was also present and during which the question of solving the Jewish problem in Hungary was discussed. What did Ribbentrop say to you about that question?

A During that discussion itself there had been a certain difficulty. When Hitler insisted that Horthy ought to proceed more energetically regarding the Jewish problem, and when Horthy rather excitedly had answered, "But what am I supposed to do? Am I supposed to beat them to death?" -- after that there was a certain lull, and the Foreign Minister had turned to Horthy and said, "Yes. There are only two possibilities -- either that or to intern the Jews. He said, and that was rather a rare case. He said later on to me that Hitler's demands in this connection were rather far-reaching.

Q On the 25th of August, 1939, you took part in a conference between Hitler, Hendersonand Ribbentrop, during which Ribbentrop and Hitler once more expressed their wish that an agreement with Poland should be achieved, with Britain acting as an intermediary. Is it true that after that, you took the draft of the note prepared during that conference to Henderson in the British Embassy by order of Ribbentrop and thatyou asked that the realization of those proposals should be looked after by Henderson personally and that he should put it through if possible?

A Yes, that is correct; that is quite right.

DR. HORN: May I hand to the Tribunal a copy of that telegram from Sir Nevil Henderson, addressed to Lord Halifax?

Q Is it correct, witness, that on the 28th of August, 1939, Ribbentrop during a renewed discussion with Sir Nevil Henderson again said that an agreement between Germany and Britain for a settlement of the Polish question was Chamberlain's greatest wish, which was supposed to have been said by Chamberlain to Ribbentrop previously, and that Ribbentrop once more said to Henderson the same thing, is that true?

A Yes, that is true.

DR. HORN: And may I hand to the Tribunal the corresponding note as an exhibit?

THE PRESIDENT: You offer a copy of that in evidence, do you?

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DR. HORN: I request the Tribunal to take judicial notice of that.

THE PRESIDENT: What number --

DR. HORN: One number has already been fixed by the Prosecution. It is TC-72. And the second document has also been submitted by the Prosecution. I am merely handing it to the Tribunal at this time, since I have just referred to them.

Q Witness, one last question: In your considerable experience as an interpreter, you have had a great deal of opportunity to observe Hitler in contact with foreigners. What impression, according to your own observations, did Hitler make upon foreign statesmen?

A Naturally it isn't quite so easy to answer that question, since you can't look into the hearts and minds of people. But as an observer you can certainly draw certain conclusions from the attitude --

THE PRESIDENT: The Tribunal doesn't think really that this is a matter which is relevant, the effect that Hitler's demeanor had on foreign statesmen. It doesn't influence us in the least.

DR. HORN: In that case I withdraw my question. I have no further questions to put to the witness.

THE PRESIDENT: Are there any other Defendants' Counsel who wish to ask questions?

DR. STAHMER: For the Defendant, former Reich Marshal Goering.

BY DR. STAHMER:

Q Witness, were you present during a talk which took

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place about one year before the beginning of the war, between Lord Londonderry and Field Marshal Goering at Karinhall?

A Yes, I was present during that talk.

Q Please, will you give the Tribunal the content of that discussion?

A After so long a time I cannot, of course, remember details accurately, butI only remember that the talk concerned the Anglo-German approach, or rather the limitation of any conflict existing between Germany and England, and apart from that, of course, quite a number of technical questions regarding aviation and air forces.

One remark particularly, which came from Goering during that discussion, is still very clearly in my memory, namely,when at the end of a certain argument which was to make clear how desirable it was that Germany and England should be friends and avoid conflicts, he said the following: If I had two countries and entered a war against each other, then a victor and a vanquished would of course exist, but the winner in that dreadful conflict will at the moment of victory have just enough strength to strike the last blow against the defeated and will then tumble to the ground just like the defeated nation, and for that reason I think that our two countries should be anxious to understand each other without a conflict and without a war.

Q Did you take part in the negotiations in Munich in the autumn of 1938?

A Yes, I did take part during those negotiations.

Q Was the then Field Marshal Goering present?

A During the first part he was not present, but in the later part when the circle of those present grew he also negotiated --

Q In what way did he participate?

A Only in individual questions, of lesser importance, did he intrude himself. But he did intervene in such a way that indicated that difficulties arising from certain technical points for the conduct of the negotiations were being removed by his intervention or that he wished to do so. In other words, that he was anxious that the Agreement of Munich should not collapse over such technical points of procedure which played an important part in the

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second part of the negotiations.

Q Were you present during a talk in the autumn of 1937 between Lord Halifax and the then Field Marshal Goering -- and I think subsequently, after a conference between Lord Halifax and Hitler at the Berghof?

A Yes, I was present.

Q What course did that conference take?

A First of all I have to say that at the Obersalzburg the discussion with Lord Halifax came off very badly. The co-partners did in no way manage to come any nearer to each other and in the case of Goering especially, when the same points were mentioned at Obersalzburg. The questions which were in the foreground at the time, namely, the Anschluss, the Sudeten-German question, and finally the question of the Polish Corridor and Danzig -- all these problems were prevalent. And at Obersalzburg Hitler had treated these matters without showing willingness to compromise and he had demanded more or less that the solution as he imagine it would have to be accepted by England, whereas Goering at that conference always attached importance or emphasized that a peaceful solution, that is to say, a solution through negotiation, appeared desirable to him, and that everything should be done to achieve it. He also said that he believed if negotiations were conducted intelligently all three questions could be solved at once.

DR. STAHMER: I have no further questions.

DR. LATERNSER: Defense Counsel for the General Staff and OKW.

BY DR. LATERNSER:

Q Witness, you were present during numerous political conferences of Hitler, weren't you? Did you ascertain on such occasions that high military leaders tried to influence him in such a way as would mean an enlargement of German territories in a peaceful way?

A No, such attempts from military persons did not come to my notice. During political negotiations, at the beginning when large problems were concerned, they were not present and they were not consulted until the conferences took place which were dealing with purely military problems, and then, of cours they only stated their attitude toward military questions, but did not talk about any political matters.

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Q. On the occasion of such discussions, did you find that high military leaders were anxious to accept political leaders upon the Reich Government?

A. No, no, I did not find that, and you could not have found it, since they were hardly ever present.

DR. LATERNSER: I have no further questions.

CROSS-EXAMINATION

BY SIR DAVID MAXWELL-FYFE:

Q. Witness, I want you first of all to tell the Tribunal quite shortly the general background of your views. Do you remember on 28 November making an affidavit at Oberursel; do you remember?

A. I can not remember the date, but I do remember that I did make an affidavit.

Q. And would you look at it. Paragraph 1 sets out your experience, the number of conferences --

My Lord, I ought to have said that this document is 3308-PS and will be GB-288.

Then, in Paragraph 2 you give the basis of your experience. Would you follow it while I read:

"Whatever success and position I have enjoyed in the Foreign Office, I owe to the fact that I made it my business at all times to possess thorough familiarity with the subject matter under discussion and I endeavored to keep myself apprised as to what was going on in the Foreign Office and in related organizations, and I enjoyed such a position that it was possible to have ready access to key officials and to key personnel in their offices."

And the, if you will look at the third paragraph, which gives your impression from that basis of the objectives of the foreign policy:

"The general objectives of the Nazi leadership were apparent from the start, namely, the domination of the European continent, to be achieved first by the incorporation of all German-speaking groups in the Reich and, secondly, by territorial expansion under the slogan of 'Lebensraum'. The execution of these basic objectives, however, seemed to be characterized by improvisation. Each succeeding step was apparently carried out as each new situation arose, but all

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consistent with the ultimate objectives mentioned above."

Is that right, Herr Schmidt? Does that express your views?

A. Yes.

Q. Now, before I go on to deal with particular matters, I want you to develop your impressions a little further. You have told us that you acted under or with every Foreign Minister since Herr Stresemann. Did you notice a considerable difference between the style of living of the Nazi ministers and those who had preceded them?

A. As far as the style of living is concerned, there were certain differences, yes.

Q. Let us take the defendant Ribbentrop. Before the defendant Ribbentrop went into politics, had he one house in Berlin, Dahlem; I think "Metze" Allee 79. Was that his possession?

A. Yes, that is correct.

Q. Now, when he was Foreign Minister, had he six houses? Let me remind you and take them one by one. You can tell me if I am right. There was a house in Sonneburg, somewhere near Berlin, with an estate of 750 hectares and a private golf course. That was one, was it not?

A. Yes, that there was a house at Sonneburg I knew, but how large it was I did not know.

Q. Then there was one at Tanneck Bei Dueren, a house, that he used for horse breeding?

A. Of that house I have not know.

Q. And then there was one near Kitzbuehl that he used for chamois hunting?

A. That is not known to me in detail.

Q. Not in detail, but its existence was known?

A. I should like to say that I consider that it is not at all improbable that the house existed, but I have not heard any details about it.

Q. Then, of course, there was the Schloss Fuschl; that is in Austria, is it not?

A. Near Salzburg, yes.

Q. Near Salzburg, yes. That was taken over as a state residence. I will ask you about the circumstances a little later.

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Then there was a Slovakia state hunting estate called Pustepole was there not?

A. The name is familiar to me, and I know that Herr von Ribbentrop sometimes went hunting there, but I do not know regarding questions of the proprietor.

Q. Then he also used a hunting lodge, near Podersan, of Count Czernin near Podersan, in Bohemia, in the Sudetenland?

A. I do not know the name. There was a hunting house of something like that where receptions took place, for instance, for Count Ciano. I think it had a different name.

Q. That is the one -- where Ciano visited. That is the one I was indicating to you. I think I am right that it previously belonged to Count Czernin.

Tell me, was the salary fixed for Reich Ministers?

A. I did not quite understand that question, I am afraid.

Q. Let me put it quite clearly. Was a salary -- that is, a fixed annual remuneration -- appointed for Reich Ministers?

A. Yes, that is quite right.

Q. How much was that?

A. That I cannot tell you, I am afraid.

Q. That was kept secret?

A. It is not that I do not want to give you any information, but I did not want to concern myself with how large a salary the Reich Minister received.

Q. You do not know? If you say that you do not know, that is good enough for me.

I think, perhaps, you can answer this question. Had any previous Reich Foreign Minister been able to run six country houses and estates of various sizes on his salary, anyone that you had worked with?

A. Whether he could have done it -- that is something I can not give you any information about, but he did not.

Q. He did not. We will leave it there for a moment.

Now, I want you to apply your mind to May 1939. That is about four months

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before the war, when the Polish question was just coming up. I mean, it was getting to be quite a serious question. Do you remember what I think they call in the German Foreign Office a "conduit de language" that was issued by Ribbentrop about that time and put out by Baron von Weizsecker?

A. No, I do not know that that, or at any rate I can not remember it.

Q. Let me try to remind you, to see if this draws it to your recollection:

"That the Polish problem will be solved by Hitler in 48 hours; the Western Powers will be unable to give any assistance to Poland; the British Empire is doomed within the next ten years; France will bleed to death if she tries to intervene."

Do you remember a conduit de language to that effect issued by the Foreign Minister?

A. A conduit de language of that kind I can not remember, but it appears to me to be rather a conduit de language for propaganda purposes.

Q. Do you not remember that von Ribbentrop issued instructions that no official of the Foreign Office was to issue any different views?

A. That is right, namely, that one was to adhere to that ruling on speeches.

Q. And do you remember what he told Baron von Weizsecker to say would happen to any one who expressed different views?

A. No, I do not recollect that, but I can imagine that severe penalties would have been threatened to a person like that, but I do not remember the actual case.

Q. Do you not remember that he said they would be shot by him personally?

A. That such an utterance may have been made on some occasion when he was furious I consider perfectly possible, but that it was meant seriously I do not believe.

Q. What I thought you might remember -- I just suggest it to you -- was the distress and difficulty that Baron von Weizsecker had in deciding how he was to say it to the official conference at the Foreign Office. Don't you remember that?

A. At that time I had not yet been admitted to the morning conferences.

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I was not present so I can not tell y u anything about it, but I can imagine that the State Secretary may have had quite some trouble in translating that statement into official language.

Q. Well, now, I want to deal quite shortly with the points that have been put to you about August 1939. I only want to get the facts quite clear.

Do you remember that you were with Hitler at tht time that he was expecting the reactions of the Western Powers to the Soviet Treaty?

A. No, because I was attached to the delegation in Moscow and therfore not with Hitler.

Q. So did you come back with the Defendant Ribbentrop on the 24th?

A. Yes, but I remained in Berlin and did not go to Berchtesgaden.

Q. I see, Well, now, on the 25th, you remember that Hitler saw Neville Henderson at 1:30 on the 25th and gave him what has been called a note cerbale? Do you remember that?

A. I think that I was not present at that conference because at that time I was in Moscow. I think it could be ascertained on the strength of the date. I was present at a conference between Hitler and the British Ambassador; during the time of our Moscow hourney, I was not present. I think that is the conference you are referring to.

Q. This is the day after the defendant came back from Moscow.

A. No, I was not. I remained in Berlin. I did not go up there.

Q. I just want to remind you of the day. If you were not present, I will pass from it, but were you present when Signor Atolico, the Italian Ambassador, produced a communication from Mussolini?

A. Yes, I was there.

Q. You were there?

A. Yes.

Q. That is the day I am asking you about. Do you remember that a communication came from Signor Atolico that afternoon that the Italian Army and air force were not in a condition to go to war?

A. Yes, indeed.

Q. I want you to try to help me beacuse it is rather important as to the time. Wasn't that about three o'clock in the afternoon?

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A. That could be so, but with the number of conference which took place at the time, the question of hours and dates is a bit mixed up.

Q. And do you remember the news the Anglo-Polish Treaty would be signed that evening coming through about four o'clock?

A. Yes, certainly I remember that.

Q. And do you remember about four o'clock M. Coulondre, the French Ambassador, having an interview with Hitler?

A. Yes, I remember that.

Q. Now, were you aware that on that day the orders for an attack on Poland the next morning were countermanded?

A. That military orders had been withdrawn is something I remember, but just what orders these were I never learned.

Q. I would not ask you about that, Herr Schmidt, but you knew that orders had been countermanded. I wondered if you could help me on this point: Was not the countermanding of the orders at 6:;5-- 1815 hours -- after the interview with the French Ambassador, M. Coulondre, was not that the time when they were countermanded?

A. I can not recall that. If that was the time, I do not know.

Q. And equally could you help the Tribunal on this point: Weren't they issued about two o'clock -- 1400 hours -- after the interview with Sir Neville Henderson? Do you know that?

A. No.

Q. I see. You can not help us on that point.

Well, now, I am not going to take time about the interview on the night of the 30- 31 August between Sir Neville Henderson and the defendant Ribbentrop, except to ask you this: You have told us that the defendant Ribbentrop was very excited. When he read these terms over, did he raise his voice at times, shouting?

A. No.

Q. How did he show his nervousness, then?

A. During some incidents which had taken place previously, one of which I had previously been trying to describe, during those incidents the

H0095-0042

nervousness became apparent but not during the reading of the document.

Q. I see, but you remember and were very much astounded at the refusal to hand over the vital document to the British Ambassador?

A. Yes, certainly.

Q. Well, I want to see if you can help us with one or two other incidents. I has been suggested by a witness that we heard yesterday that the defendant Ribbentrop knew very little about concentration camps. I want to make it clear that was suggested. I think perhaps you can help us on one or two inhabitants of concentration camps that he knew about.

Do you remember a man called Martin Luther? Not the religious gentleman but a contemporary?

A. Yes.

Q. Do you remember that the defendant Ribbentrop brought him into his office, the Bureau Ribbentrop, in 1936?

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A As far as he is concerned I am not sure of that, but I do Know that it happened in that office.

Q Yes. I think it was not received with great joy by the older members of the German Foreign Office.

A No, certianly not.

Q There had been some trouble about a small matter of 4,000 Reichmarks that Mr. Luther had had to deal with in the past?

A We heard about that afterwards.

Q But still, he was taken into the Foreign Office and received rapid promotion to Consul of the Embassy, Minister and finally Secretary of State, did he not?

A Certtainly, Yes.

Q And then, do you remember that in 1943 he had a quarrel with the defendant Ribentrop?

A Yes.

Q And he sent to Himmler -- I think he did it through Lieutenant Buentner -- suggesting that Ribbentrop's state of mind was not such that he ought to continue as Foreign Secretary, and suggesting that Werner Best, I believe it was, should be appointed. Do you remember that ?

A Yes, I remember that; but I did not know that he suggested Best as successor.

Q At any rate, he suggested that Ribbentrop should go. I think he was quite blunt about it. I believe he suggested that his mental powers were no longer up to it.

A Well, I didn't see that report, and I only heard rumors about it. However, such rumors did reach me.

Q In consequence of that, of course, after an interview with Ribbentrop, Ribbentrop had Luther put in a concentration camp, had he not?

A Whether Ribbentrop's initiative was responsible for that, or whether it came from some other party, I do not know, but it was said in our de department that Luther had landed in a concentration camp.

Q Yes. Well, the sequence of events was that Luther had this disagreement with Ribbentrop, and shortly afterwards he appeared in a concen-

H0095 - 0044

tration camp. And not only did he go into a concentration camp, but isn't it correct that even the SS asked that he should come out of the concentration camp, and Ribbentrop would not agree to it?

A I can't say anything about that because the whole matter was, of course, treated rather confidentially in the office by von Ribbentrop, and the members of the Foreign Office, of which I was one, did not have his confidence to such an extent that they were informed of all such details. In other words, regarding the whole Luther affair, I have had to find prohibited information through prohibited channels, and I therefore, cannot give you any authentic informayion; I can only repeat what I have heard unofficially.

Q I am sure you desire to be absolutely frank with the Tribunal, and the point I am putting to you is that everyone in the Foreign Office knew that Luther had landed in a concentration camp and, quite clearly, the defendant Ribbentrop knew that he had landed in a concentration camp. That is right, is it not?

A Yes, that is certainly so.

Q Well, now, let us just take one other incident relating to this if I may comment as to his extraordinary innocence about concentration camps.

You remember two unfortunate people called Herr and Frau von Raemitz, to whom the Schloss Fuschl used to belong? I think the name is either Raemitz, or Raenitz. Do you remember?

A Yes.

Q Well, the Schloss Fuschl -- would you tell me how it is pronounced?

A Well, regarding these matters I have been --

Q No, I want you tell me how it is pronounced.

A Fuschl.

Q Thank you

The Schloss Fuschl used to belong to the people that I have just mentioned. Frau von Raemitz was a sister of August Tissen, was she not?

A I can't say anything about that, since all these questions refer to the private household of Ribbentrop and I had nothing whatsoever to do with that. My connections

H0095-0045

with him were purely official and limited, at that, to routine matters and political interpretation in the Foreign Office. I only heard about the other matters a marche, but so that I could make authentic statements about them, no, of course not.

Q Well, I will only ask you one question. After the Schloss had become the property, or at any rate had come to the use of the Foreign Minister didn't Herr von Raemitz spend several years in a concentration camp, where he ultimately died? You know that, did you not?

A I know it as a rumor; it was rumored that was the way things happened.

Q I don't believe so, that authentic details regarding conditions in concentration camps were known. Of course, particularly as far as the Foreign Office was concerned, that was treated as taboo by those people who were responsible for concentration camps. Since we, in any case, were regarded as not quite reliable and not quite belonging to them, such matters, of course, were particularly, deliberately, covered up from us and distorted. Therefore, any concrete details never became known to us at all.

Q But you knew, did you not, even in the Foreign Office, that there were a large number of concentration camps in which a vast number of people were shut up?

A We knew that, but our source of information was mostly the foreign press, which we read, of course, and the foreign radio, which appeared on our table, translated, every morning.

Q So that if you knew it from the foreign press and the foreign radio, whoever else in that dock did not know about concentration camps, the defendant Ribbentrop, as Foreign Minister, did know. Isn't that right?

A The way I would like to put it is that he did, of course, have access to that foreign news material. Just how he valued that, whether he considered it true or completely false, or exaggerated, that I cannot say, of course. He did, of course, receive the reports as such too, but under the heading of foreign reports, and, during the war, reports from hostile countries.

Q Doctor, I won't pursue that further at the moment, I want you to just tell me this. You have given us your account of the interview between Hitler and the defendant Ribbentrop and Horthy when the question of the Jews

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was discussed, on the 17th of April, 1943. I just wanted on record thatyour account is based on the fact that you actually made the minutes; the minutes are signed by you.

A Yes.

Q I want to pass to another point. From 1943 to 1945, were you still going to Hitler's headquarters for occasional interpreting and attending of meeting and the like?

A Yes.

Q For example--I don't know if you can remember it, but I am sure you will try--on the 27th of February, 1944, do you remember a visit of Marshal Antonescu?

A Yes.

Q Were you present at that?

A I remember I was always present during all business of Antonescu's since the discussion couldn't take place any other way. But regarding the date, I couldn't tell you anything exactly at the moment.

Q It was actually the 27th of February. I wanted to try and fix it by an incident which might remind you of it, that Antonescu was there. Now, do you remember on that occasion that the defendany Doenitz was present?

A It is possible, but I haven't any exact recollection. During the military discussions it is quite possible that he was present there, yes.

SIR DAVID MAXWELL-FYFE: The Exhibit, my Lord, is GB-207, and it is dealt with on page 2705 of the shorthand notes. The document was originally D-648.

Q I want you to tell the Tribunal about the general governmental set-up. There has been considerable evidence given before the Tribunal that the Reichsregierung, as such, did not meet after the beginning of the war. Several people have told us that. Instead of a cabinet meeting, wasn't it a fact that the government of Germany was carried on by these constant meetings at Hitler's headquarters?

A I consider that a possibility, but I haven't got exact knowledge, since I was never present during such internal conferences or took part in them. I only went to headquarters whenever a foreigner was there whom I had to accompany.

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Q You only came when there was a foreign visitor, but you know that these meetings were continuously taking place and that the defendant Goering, the defendant Speer, the defendant Keitel, the defendant Jodl, the defendant Doenitz were constantly attending these meetings.

A Whether you can describe that conference as a meeting is something I don't know either.

Q I didn't mean to play with words with you at all. I only used the word to describe what was happening. If you prefer to call it a conference, I am willing to do that.

A Well, anyway conferences took place on the occasion that these people you have just named were present at the headquarters. That is something I certainly admit.

Q I think you agree with me, don't you, that as far as one can find any organism or organization through which the government of the Reich was being carried on, it was this succession of meetings or conferences at Hitler's headquarters; isn't that so?

A Well, I don't know whether you can call that governmental activities If I drew a parallel with a conference during which I was present with these foreign gentlemen, then you will find that the person who spoke and who achieved decisions was none other than Hitler. In other words, if it was the same with these conferences, then you could call it a government discussion or conference, but it was a one-man government. The others were only there as an audience or to be interrogated regarding individual points. That is how I imagine it to be, but I was not present.

Q I quite appreciate your point, but these were the occasions at which each service and each department and each organization--like the SS, through the Reichsfuehrer SS, Himmler--put their point of view and put the facts before Hitler on which decisions were come to, weren't they? And that is what happened for the last two years of the war.

A From the presence of those people you could have drawn that conclusion, yes, but it could have been that an order group took place, that is, a reception of orders at headquarters. Both possibilities exist, but just which is applicable is something I can't make a statement about.

Q At any rate, I think you will agree with this, won't you, Herr Schmidt, that there was no other place at which the government of Germany took place except that?

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Q- Would you be good enough to look at your affidavit? I will just read the rest of it. It is quite short, but I want it to be on the record. Paragraph 4:

"The attempted putsch in Austria and the murder of Dollfuss on the 25th of July 1934, seriously disturbed the career personnel of the foreign office, because these events discredited Germany in the eyes of the world. It was common knowledge that the putsch had been engineered by the Party, and the fact that the attempted putsch followed so closely on the heels of the blood purge within Germany could not help but suggest the similarity of Nazi methods both in foreign and domestic policy.

"This concern over the repercussions of the attempted putsch was soon heightened by recognition of the fact that these episodes were of influence in leading to the Franco-Soviet pact of 5 December 1934, a defensive arrangement which was not heeded as a warning by Hitler.

"The announcement in March of the establishment of a German air force and the introduction of conscription was followed on the 2nd of May, 1935, by the conclusion of a mutual assistance pact between France and the Soviet Union. The career personnel of the foreign office regarded this as a very serious further warning as to the potential consequences of German foreign policy, but the Nazi leaders only stiffened their attitude towards the Western Powers, declaring that they were not going to be intimidated. At this time the career officials, at least, expressed their reservations to the foreign minister, von Neurath. I do not know whether or not Neurath in turn related these expressions of concern to Hitler.

"6. The reentry of the German military forces into the Rhineland was preceded by Nazi diplomatic preparation in February. A German communique of the21st of February 1936 reaffirmed that the French-Soviet pact of mutual assistance was incompatible with the Locarno treaties and the Covenant of the League. On the same day Hitler argued in an interview that no real grounds existed for conflict between Germany and France. Considered against the background statements in 'Mein Kampf' offensive to France, the circumstances were such as to suggest that the stage was being set for justifying some future act. I do not know how far in advance the march

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into the Rhineland was decided upon. I personally knew about it and discussed it approximately two or three weeks before it occurred. Considerable fear had been expressed, particularly in military circles, concerning the risks of this undertaking. Similar fears were felt by many in the foreign office. It was common knowledge in the foreign office, however, thatNeurath was the only person in government circles consulted by Hitler, who felt confident that the Rhineland could be remilitarized without armed opposition from Britain and France.

"Neurath's position throughout this period was one which would induce Hitler to have more faith in Neurath than in the general run of old-school diplomats whom he, Hitler, tended to hold in disrespect."

Then there is a paragraph about the sanctions in Italy which I don't think is a relevant matter before the Tribunal; and then, in paragraph 8, I will go on:

"Plans for the annexation of Austria were a part of the Nazi program from the beginning. Italian opposition after the murder of Dollfuss temporarily forced a more careful approach to this problem, but the application of sanctions against Italy by the League, plus the rapid increase of German military strength, made safer the resumption of the Austrian program. When Goering visited Rome early in 1937 he declared that union of Austria and Germany was inevitable and could be expected sooner or later. Mussolini heard these words in German, remained silent, and protested when I translated them into French.

"The consummation of the Anschluss was essentially a Party matter, in which von Papen's role was to preserve smooth diplomatic relations on the surface while the Party used more devious ways of preparing conditions for the expected move. The speech delivered by Papen on 18 February 1938, following the Berchtesgaden meeting, interpreted the Berchtesgaden agreement as a first step towards the establishment of a general European commonwealth under the leadership of Germany. This wasgenerally recognized in the foreign office as a clear prophecy of a greater Germany which would embrace Austria."

The final paragraph says these matters are true and that you have made this affidavit voluntarily and without compulsion. That is right, isn't it, Schmidt?

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Now, just one more point and then I have finished with you. It is correct, is it not, that in his period as foreign minister the Defendant Ribbentrop brought a number of people who had rank in the SS, or, in the old days, in the SA into the foreign office and made them part of the staff?

A Yes. Principally they were members of the so-called service department -- that is to say, a formal organization. They were taken over by the department. Some of them; not all of them, but some of them.

SIR DAVID MAXWELL FYFE: Thank you.

THE PRESIDENT: Does any other Prosecutor want to cross-examine? Dr. Horn, do you want to reexamine?

DR. HORN: I have nofurther questions to put to this witness.

THE PRESIDENT: The witness may retire.

DR. LOEFFLER (Counsel for the SA): Mr. President, just one question to the witness.

THE PRESIDENT: Keep the witness.

DR. LOEFFLER: May I have your permission to put one question to the witness?

THE PRESIDENT: Would you say whom you are appearing for?

DR. LOEFFLER: Dr. Loeffler, defense Counsel for theSA.

BY DR. LOEFFLER:

Q Witness, you were present during the visit of foreign statesmen and you were there personally. Were you also present during the visit of statesmen during the Olympic Games of 1936?

A Yes.

Q Did any one of the foreign statesmen express the wish to inspect social installations and the works created by the National Socialist--in particular social works -- before or after 1936?

A Whether during the Olympic Games any such wishes were expressed is something I cannot remember at themoment; but that such wishes were expressed and that they were fulfilled becomes clear from a number of facts -- for instance, Lloyd George's visit at the Obersalzberg and, later on, his inspection of social installations in Germany. A number of interested foreign persons took an interest -- a very lively one, in my opinion -- for social works in Germany.

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Q Were you present personally during such visits? Do you remember an inspection during which you were present?

A Mostly I wasn't present. I only recollect that, for instance, the Worker's Front had an organization which was called "Joy at Work". That was theinternational organization. They ran a congress annually at Hamburg, and during thatCongress I often acted as interpreter.

Q Do you know anything about the impressions made by these creations on foreign statesmen?

A The social institutions, as far as I know, made rather a favorable impression on visitors.

Q Do you remember the visit of the Prince of Wales to Germany?

A Yes. I acted as interpreter there.

THE PRESIDENT: What has this got to do with the charges in the Indictment? Dr. Loeffler, your duty was to ask any question you have got at the same time as I asked you whether you had any questions to ask. You said No, or you indicated that you had not. You now get up and say you have one question to ask and you have asked about --. I don't know how many you are going to ask, but they are all, in the opinion of the Tribunal, I think, irrelevant.

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DR. LOEFFLER: Mr. President, the questions which I am putting are caused by the cross examination carried out by Sir David. Sir David has mentioned the SA, and I want to put corresponding counter questions to the witness, and apart from that --

THE PRESIDENT: (Interposing) Sir David hadn't asked any question as to thesocial conditions of Germany, and he didn't ask any questions about the Olympic games of 1936. In any event, you are not the right person to reexamine.

DR. LOEFFLER: Mr. President, the questions which I have put are important, because through those visits which were made here and through the statements made by the foreign statesmen the impression was made among us as if important statesmen abroad were expressing their recognition to the leaders of National Socialist Germany. And as to the question of whether guilty or not guilty of millions of Germans whom I represent here, it is of the greatest importance, since these millions of Germans are regarding the attitude of those foreign statesmen as decisive and important.

It isn't, therefore, irrelevant, but for us, in fact, decisive, and he is the only witness who can really make authentic statements about the correctness of that.

I finished my questions about the Olympic games, and I have only got two more questions to ask, which I would like --

THE PRESIDENT: (Interposing) The Tribunal thinks that the questions you are puttind to not arise out of the cross examination and are entirely irrelevant, and they will not hear any further questions from you.

DR. KUBUSCHOK: Dr. Kubuschok, for the defendant Papen.

THE PRESIDENT: Dr. Kubuschok, as you know perfectly well, this is not the time to put questions on behalf of von Papen. You have had your opportunity, and you have not done it.

DR. KUBUSCHOK: Mr. President, I am merely proposing to rectify some words which were probably misrepresented through translation. I didn't receive copies of the affidavit, but I heard that in that affidavit aspeech of von Papen's of the 18th of February 1938 was mentioned.

THE PRESIDENT: Very well. If that is correct you can correct anything in the translation you want to.

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DR. KUBUSCHOK: I would assume that here the name "Hitler" and "Papen" have been mixed up. I heard "Papen" was in the translation, but Papen never made such a speech, and any conclusions drawn from thatspeech are incorrect.

THE PRESIDENT: Dr. Kubuschok, you will receive the affidavit. You will have an opportunity to look at the affidavit.

DR. KUBUSCHOK: I shall look at the affidavit, and, if necessary, apply to have it rectified.

THE PRESIDENT: Yes. If there is any mistake in the affidavit it must be corrected

DR. KUBUSCHOK: It really says Papen, but that is completely wrong since he has never made such a speech. This is on Page 4. It says "The speech delivered by Papen."

SIR DAVID MAXWELL FYFE: My Lord, that is what the affidavit said. Learned counsel says it is completely wrong, he didn't make a speech. But with the greatest respect to learned counsel, I must suggest if he wants to refute the affidavit, he will have the opportunity of recalling von Papen and giving evidence then.

DR. KUBUSCHOK: Mr. President, could this be a case where that one little question could be put to the witness as to whether he really meant Papen?

THE PRESIDENT: Very well; put the question to the witness.

BY DR. KUBUSCHOK:

Q. Witness, do you really think you have said in this affidavit that Papen on the 18th of February 1938 made a speech? Where was that supposed to have been made?

A. That, in my opinion, was a mistake which may have occurred when I made that affidavit; because if the speech wasn't made -- well, at any rate, at the moment I don't remember it. But I don't remember any such speech as I pictured in that affidavit. It is, therefore, perfectly possible that I have made a mistake. And perhaps that mistake is excusable if you take into consideration that this affidavit was submitted to me at a time when I was in a hospital seriously ill and in bed. It can well have happened that when I was reading through the affidavit themistake did not become apparent, and that it is actually a mistake.

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Q. That means that the fact and conclusions drawn from it, therefore, are a mistake; is that right?

A. After what I have said, yes. I can't recollect thatspeech, and I think it is due to a mistake of mine that it appeared in that document. I say it again: I attribute it to the circumstances under which the affidavit was submitted to me and signed by me, as I was seriously ill, in other words.

THE PRESIDENT: Yes, Dr. Horn. The witness can now retire.

DR. HORN: May I once more express the request to the Tribunal whether it can be ascertained by tomorrow morning the translations of my documents will be available. My further presentation of evidence will depend on that since if I have the translations in the morning, then I would now start to examine the defendant von Ribbentrop as a witness. If translations cannot be completed by tomorrow, then I would ask the Tribunal now to continue with submitting my documents.

THE PRESIDENT: Dr. Horn, this trial has been going on for many months, and it is taking a very much longer time than anybody anticipated, at any rate longer than any member of the Tribunal anticipated, and they cannot have it put off any longer. You must go on. Have you got any further witnesses to call?

DR. HORN: No, I haven't any further witnesses, Mr. President.

THE PRESIDENT: Are you not going to call the defendant von Ribbentrop?

DR. HORN: Yes.

THE PRESIDENT: Why can't you put him in the box now?

DR. HORN: I can examine him, but I asked the President whether I could have the assistance of the Tribunal to have the documents by the morning so that I would now start to examine the defendant as a witness and then submit the documents when the Prosecution have their documents too, and they can raise their objections here at the same time.

THE PRESIDENT: Well, as soon as the documents are translated, you shall have them, of course. We have sent out to find out whether they will be available by tomorrow morning, but we have got 35 minutes now before 5:00 o'clock. We want to occupy the time.

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MR. HORN: Very well, Mr. President. In that case I shall name the defendant as witness now.

THE PRESIDENT: Will you go on please, Dr. Horn?

MR. HORN: Yes. In that case I shall continue by presenting documents.

THE PRESIDENT: Dr. Horn, you said you were going to call the defendant von Ribbentrop. We haven't got the documents here, and you must do as you said.

MR. HORN: In that case I request to be given permission to examine the defendant as a witness.

(JOACHIM von RIBBENTROP, a witness, took the stand and testified as follows):

BY THE PRESIDENT:

Q Will you say your full name?

A Joachim von Ribbentrop.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I willspeak the pure truth and will withhold and add nothing.

(The witness repeated the oath).

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

BY MR. HORN:

Q Please give the Tribunal a brief explanatory report about the important points of your development.

A I was born on the 30th of April 1893 at Wesel. I came from an old family of soldiers. My mother came from the country.

I went to school at Kassel and Metz at Alsace-Lorraine. There, in Alsace- Lorraine, I had my first contact with French cultural circles, and at that tiem we learned to love that country.

In 1908 my father resigned from active military service, and the reason for that were differences at that time connected with the person of the Emperor, the Kaiser. My father at that time already had a strong foreign

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political interests and social interests, and I had a great admiration for him. At that time we moved to Switzerland, and after living there for about one year I went to London as a young man, and there for about one year I studied, mainly languages.

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It was then that I had my first impression of London and of the size of the British Empire. After about one year, in 1910, I went to Canada, originally I was to go to the German colonies but I went to Americainstead. I wanted to see the world. I remained in Canada for several years, approximately two, and I worked as railway worker and later on I went to work in banks and in the building trade.

In 1914, the first World War surprised me in Canada. I,like, all Germans at the time, had only one thought -- "Every man is needed at home and how can we help our fatherland"? So I travelled to New-York and in September 1914, after a certain amount of difficulty, I arrived in Germany. After active service at the front, during approximately four years, and after I was wounded, I was sent Constantinople, to Turkey, where I experienced the collapse of Germany after the first World War, At that time, my first impression was what the dreadful consequences of a lost war were. Our then Ambassador Count Bernsdorf and later Ambassor Dickhof, were the representatives of the Reich in Turkey. They were ordered to Berlin and the connections they had with President Wilson wete to be explored and it was hoped by all of us that perhaps on the strength of that, some peace could be achieved and some understanding and reconciliation.

After some difficulties, in March 1919, I went to Berlin and I became Adjutant of the General von Segt for the Peace Delegation at Versailles. Subsequently, when the Treaty of Versailles was settled, I read that document one night and it was my impression that no government in the world could possibly sign such a document. That was my first impression of foreign policy at home.

In 1919, I resifgned from the armed forces as a full leftenant and I turned to work as a businessman. Through my commercial contacts, my business contacts, I learned to know, I got to know England and France quite intimately during the subsequent years. Several contacts with politicians were established already then. I tried to help my own country by voicing my views against Versailles. It was very difficult at the beginning but in 1919 and 1921, I found a certain amount of understanding in those countries in my own modest way. Later on, that is to say, since 1929 or 1930, I have seen

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that after seeming prosperity during the years 1927, 1928 and 1929 there was a sudden economic earthquare and that matter went downhill very fast.

During the year 1931 and 1932, one could notice as a business man, which I was at the time, that in practice the consequences of Versailles were such that German economic life was brought down more and more, so I looked around. At that time, I was closely attached to the German Peoples Party and when I saw how parties became more numerous in Germany. I remember that in the end we had something like thirty parties in Germany. I saw that unemployment was growing steadily and that the government was losing the confidence more and more. I can recollect exactly those years of efforts made by the Chancellor Bruenig, which were certainly meant honestly but which nevertheless had no chance of success. Other governments came. It is known that they, too, could not succed. Exports and imports in Germany no longer tallied. The gold reserves of the Reichsbank dwindled, tax evasion took place, and there was no more confidence in the measures introduced by the government. That, roughly, was the picture which I saw in Germany in the year 1930 and 1931. I also saw how strikes increased, how people became more and more discontented, and how more and more demonstrations took place on the streets and how conditions became more and more chaotic. I do not think that I am exaggerating if I say that the picture which I found in the year 1931, 1932 and 1933, particularly 1932 in Germany was not unlike the first signs of civil war. For me as a German and I think I have always been a patriot -- that made an incredible impression Actually, I was not very close to the political world but during those years I told myself that something had to be done and that everyone, wherever he might be, would have to help, would have to assist, so as to create a national front on a broad basis which would once more have the trust of men and the masses of the workers of our people. At the same time, I was aware that most of the men who were responsible for Versailles did not want that but this was a factor which no one, today even, can dispute. I have already mentioned what disappointment I experienced as a young officer through personal contact and in particular, to the then German Ambassador Dickhof, who is a relative of mine by marriage, the disappointment which we all experienced, all those of us in the German armed forces and the German people, and in government

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circles even more, that these points of Wilson's had been so quickly departed from. I do not propose to make a propaganda speech. I merely want to represent the facts, state facts, only as I experienced them at the time . There is no doubt that the defenselessness of the German people at that time was the cause, the cause for that fact, that that attitude became prevalent amongst our enemies, not tending towards an understanding but toward hatred and revenge. I am convinced that this was not the intention of the President of the United States Wilson at all and I believe that in later years, he personally must have suffered through it. At any rate that was my first contact with German politics.

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Thus, Versailles and its severe points as we experienced them, from the closest personal knowledge, were not observed. That, too, is perhaps a consequence of the war, during which men drift into a certain direction and just cannot observe certain things or do not wish to. At any rate, the rules of Versailles are known, and they are, neither territorially speaking nor in many other important points, on record as having been observed.

May I mention -- this is one of the most important questions -- that Silesia, Upper Silesia at the same time, and particularly Memel Land, that small land, and events which occurred, made a deep impression on me, Upper Silesia particularly because many personal ties of mine exist there and becau we all could not understand that those severe instructions of Versailles were not observed.

Then, the question of minorities which played a very important too must be discussed, and later on I shall probably have to refer to this point more in detail, particularly in connection with the Polish crisis. But anyway, right from the beginning, German minorities, as known, were exposed to seriou difficulties. At that time, Upper Silesia particularly, and those territori which were suffering under that treatment, were concerned.

Furthermore, of course one of the most important points of Versailles was the question of disarmament, and that, too, has been referred to in this courtroom and at the moment I do not want to concern myself with it in detail

At any rate, that lack of equality in all these spheres, and the refusal of equal rights, was the cause of my interesting myself in politics. I woul like to say here quite openly that at that time I often talked to French and British friends, and it was a well known fact, of course, even then, that aft 1930 the NSDAP already had 100 or more seats in the Reichstag, and this was the symptom of the natural will of the German people breaking through to resi that treatment, which in fact meant nothing other than that that was what the German people desired.

Friends of mine questioned me at that time about Adolf Hitler whom I didn't know at the time. They asked me, "What sort of a man is Adolf Hitler? What is to be expected from him?" I said to them frankly, "Give Germany a chance and you won't have Adolf Hitler. Don't give Germany a chance and

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Adolf Hitler will come into power."

That, I think, was approximately in 1930 or 1931. Germany wasn't given the chance, so on the 30th of January 1933, the seizure of power by the National Socialists happened.

Q How and when did you get to know Adolf Hitler?

A I met Adolf Hitler for the first time on the 13th of August 1932 at the Berghof. Since approximately 1930 or 1931 I had known Count Helldorf in Berlin, whose name as a National Socialist is known. He was a regimental comrade of mine in my squadron, and we went through four years of war together. Through him I became acquainted with National Socialists in Berlin for the first time, and I had asked him at that time to arrange for a conversation with Hitler.

He did so, as far as I remember, through Roehm, and I visited Adolf Hitler and had a long discussion with him at that time. That is to say, Adolf Hitler explained his thoughts on the situation in 1932 to me.

I then met him again in 1933 as has been described by Party Member Goering, and this happened at my house at Dahlem which I placed at their disposal for the purpose of doing everything to create a national front.

My impression of Adolf Hitler was a considerable one even then. I noticed particularly his blue eyes and his generally dark appearance, and then, his settled, I should like to say, final -- not closed, but final -- character, and the way in which he expressed his thoughts. These thoughts and statements had something final and definite about them, and they appeared to come from his deepest, innermost self. I had the impression that I was facing a man who knew what he wanted and who had an unshakeable will and who was a very strong personality indeed.

I can summarize by saying that I left that conversation with Hitler convinced that this man only, if anybody, would be in a position to save Germany from those difficulties and that emergency which existed at the time.

I need not refer in detail to the events of that January, but I would like to tell you about one episode which happened in my house at Dahlem when the question arose whether Hitler was to become Chancellor or not. I know that at that time he was offered the Vice Chancellorship and I heard with what enormous strength and conviction, if you like, also brutality and hardness he could state his opinion when he believed that hurdles appeared

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on the way to resurrection of the German people.

Q Did you believe in the possibility of a revision of the Versailles Treaty by means of mutual understanding?

A I must say that the numerous business journeys which I had made in the years of 1920 to 1932, which took me abroad, proved to me how incredibly difficult it would be under the then existing system to settle by means of negotiations on a revision of the Versailles Treaty. In spite of that, I felt, I sensed, how as the years went by the groups in England and France grew who had been convinced that somehow Germany would have to be helped. During those years, I established many a contact with businessmen, social figures, and men of art and science, particularly in universities in England and France, and in that connection I learned to understand the attitude of the Englishmen and the Frenchmen.

I want to say now that even shortly after Versailles, it was my conviction that a change of that treaty could only be carried out through mutual understanding with France and Britain. I also believed that only in this way could the international situation be improved, and the very considerable substances of conflict existing everywhere, as consequences of the First WorldWar, be removed.

It was clear, therefore, that only by means of an understanding between us and the Western Powers and England and France, could a revision of Versailles be possible. And even then, I had the certain feeling that only by means of such an understanding could real peace in Europe be permanently preserved.

We young officers had experienced too much at that time. I am thinking of the battle for Silesia and the Baltic and all that, and I should like to add, and say it quite openly, that right from the beginning and from the first day when I read that Versailles Treaty, I, as a German, felt it to be my duty to fight against it and to try to do everything so that its place would be taken by a better one. Hitler's definite attitude against Versailles was the very thing that first bound me to him and the National Socialist Party.

Q Did you attempt to tell Hitler what your views were?

THE PRESIDENT: Dr. Horn, it is 5:00 o'clock and the Tribunal thinks they had better adjourn now.

(The Tribunal adjourned until 29 March 1946 at 1000 hours.)